1642/BOXSeq

BY HAND DELIVERY

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Date: 9/17/03 Signature: Fani Malikouzakis
Fani Malikouzakis

FULBRIGHT & JAWORSKI LLP

LUD 5615 (09905230) - NDH

C/27 10/30/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)	:	Dirk JAGER et al.
Serial No.	:	09/451,739
Filed	:	November 30, 1999
For	:	ISOLATED NUCLEIC ACID MOLECULES ENCODING CANCER ASSOCIATED ANTIGENS, THE ANTIGENS PER SE, AND USES THEREOF
Group Art Unit	:	1642
Examiner	:	Gary Nickol

September 17, 2003

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ACTION

Sir:

Responsive to the action dated September 12, 2003, please replace the current computer readable form and paper copy of sequence listings with the attached.

I hereby state that I have reviewed the paper copy of the Sequence Listing, as required by 37 C.F.R. § 1.821(c), and have reviewed the computer readable form of the Sequence Listing, as required by 37 C.F.R. § 1.821(e), and that the content of the paper and computer readable copies for the above-referenced patent application are the same as required by 37 C.F.R. § 1.821(f).

REMARKS

In the Office action of September 12, the Examiner states:

"Applicant has not complied with the requirements of 37 C.F.R. § 1.821 – 1.825 as per the Office Action mailed 5-14-03, Paper No. 24, page 3."

In fact, there was no such requirement in the May 14, 2003 Office Action, either at page 3 or elsewhere. Hence, applicant can not have "failed to comply," since there was no call for compliance.

With respect to the Examiner's statement that, "applicant did not clarify what changes were made to the sequence listing as requested," this is wrong. Please see the last page of the August 14, 2003 response.

In a telephone conference with the Examiner which took place on September 15, 2003, the Examiner stated, 'well, I wanted more." This may be the case, however, that does not mean the explanation was not given. Applicants did give an explanation. Clearly, the Examiner did not understand it.

What applicants did was to change the last base in SEQ ID NO: 11 to --c--, where it had been t. They did not change the specification.

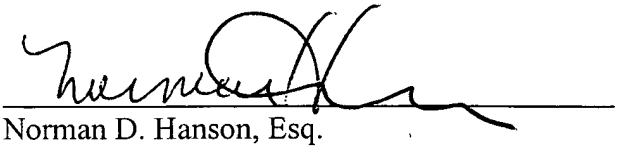
The Examiner advised "well, I can't see what you did because they won't run a copy of the sequence listing for me until it's in compliance." It is pointed out that paper copy was supplied with the response, as required.

The sequence report tells applicants "do not use CDS" for SEQ ID NOS: 8 and 15. Why not? It was used in other sequences. Further, it is the correct designation as per the MPEP.

If this response does not address the requirement, then clear follow up is required.

Respectfully submitted,

FULBRIGHT & JAWORSKI, L.L.P.



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Enclosures: Paper Copy of Sequence Listing
Diskette Copy of Sequence Listing